

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

EDWIN D. DENNIS,)
)
Plaintiff,)
)
v.) CIVIL ACTION NO. 3:09cv977-ID
)
)
MAJOR CAREY TOLBERT, et al.,)
)
)
Defendants.)

ORDER AND OPINION

On November 3, 2009, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 4). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that plaintiff's complaint is DISMISSED with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(I).

Done this the 1st day of December, 2009.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE